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January 8, 2016

Via ECF

Hon. Roanne L. Mann, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: Commercial Lubricants, LLC v. Safety-Kleen Systems, Inc.
Case No.: 1:14-CV-07483**

Dear Judge Mann:

We represent plaintiff Commercial Lubricants, LLC in the above-referenced matter. By Order dated September 9, 2015 (ECF Doc. No. 19), the parties were directed to engage in mediation in November 2015. The Hon. Alfred M. Wolin, U.S.D.J. (Ret.) was selected to act as mediator, and the first mediation session was scheduled for November 23, 2015 (ECF Doc. No. 22). In addition, by Order dated March 27, 2015 (ECF Doc. No. 22), discovery is to be completed by January 29, 2016.

By motion filed November 19, 2015, we advised Your Honor that the parties wished to engage in limited discovery, including depositions of 5-6 witnesses, before mediating, and, accordingly, requested that the mediation deadline be extended to January 8, 2016 (ECF Doc. No. 23). This request was granted by Order dated November 19, 2015.

At that time, deposition dates had been scheduled for most of the witnesses. Shortly thereafter, however, the parties engaged in direct settlement discussions, which, we understand, advanced considerably and appeared to have a good chance of resulting in a settlement. As a result, the scheduled depositions were put "on hold," by mutual agreement, to allow the parties to attempt to finalize an agreement. Unfortunately, however, they were unable to do so.

At this point, the parties still believe that conducting the previously-scheduled depositions would facilitate a successful mediation. Accordingly, they have scheduled depositions for later this month and agreed to complete the previously-scheduled depositions by early February, 2016. Judge Wolin and all of the parties have also

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agreed to re-schedule the initial mediation session for February 11, 2016, subject to Your Honor's approval.

Accordingly, we respectfully request that the deadline to complete the mediation be extended to February 11, 2016, and that the discovery end-date be extended to March 31, 2016. (In this regard, the parties have had communications about certain issues pertaining to their discovery responses and document productions; while the parties are trying to resolve these issues, if they cannot, they may need to ask for direction from the Court.)

Thank you for Your Honor's attention to this request.

Respectfully submitted,

s/Jonathan P. Vuotto

cc: Aaron White (*via e-mail*)
Hon. Alfred M. Wolin (Ret.) (*via e-mail and U.S. Mail*)